

### **REMARKS**

Claims 1-14 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **FOREIGN PRIORITY**

In response to the Examiner's request for a priority document for this application, a certified copy of priority document 101 07 231.7 as required by 35 U.S.C. 119(b) was submitted along with an Amendment on November 30, 2004.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1 and 5-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawasaki (U.S. Pat. No. 5,492,388) in view of Pandit, et al. (U.S. Pat. No. 6,234,850 B1). Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawasaki (U.S. Pat. No. 5,492,388) in view of Pandit, et al. (U.S. Pat. No. 6,234,850 B1), and further in view of Hirzmann (U.S. Pat. No. 6,535,394 B1). Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawasaki (1755492388) in view of Pandit, et al. (175623485081) as claimed 1 above, and further in view of Hauske, et al. (U.S. Pat. No. 6,623,214 B1). Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawasaki (U.S. Pat. No. 5,492,388) in view of Pandit, et al. (U.S. Pat. No. 6,234,850 B1) as claimed 1 above, and further in view of Kellison (U.S. Pat. No. 4,642,964).

The Examiner's attention is directed to amendment independent Claims 1, 8 and 12 which include the limitations that the spacer ring is disposed between and in contact with the first and second contact faces. Applicants note that in each of the references cited, the spacer ring is not in contact with the contact faces. Generally, as described in the specification of the instant application, the spacer ring functions to provide a barrier from paint and debris for the weld nut and screw electrical contact faces when the weld nut and screw are being painted. As described in the specification, after the weld nut spacer and screw assembly are welded onto a body, the structure is painted. To couple an electrical connection to the weld nut, the fastener and spacer ring are removed. The fastener is then used to couple the electrical contact (8) to the contact face (9) of the weld nut (1).

Throughout the Office Action dated March 2, 2005, the Examiner characterizes the prior art spacer and fastener assembly as "increasing the compression force between the nut and the screw" to increasing the electrical connection. The Examiner's attention is respectfully directed to Figure 2 which shows that when the fastener is coupled to the nut to complete the electrical connection, the spacer is no longer used.

With respect to the rejection of Claim 5, the Office Action states that it would have been obvious to one having ordinary skill at the time the invention was made to modify the fastener of Kawasaki to provide a predeterminable thickness of a spacer ring and the depth of the fastener in the cavity welded state to be equal. The Office Action further states that since the Applicant does not explain the same thickness of the spacer ring and the depth of the cavity or make any improvement in the fastener, therefore, the same thickness for the spacer ring in the cavity is a matter of design. Applicants

respectfully traverse this characterization. As shown in Figure 2, after the spacer has been removed, sufficient room must be provided for the fastener (3) to fully seat on the weld nut (1). As such, the alignment of the length of the fastener with the spacer allows for the proper mating of the two contacts. With respect to Claim 6, Applicants respectfully assert that the alignment of the bottom of the fastener (3) with an internal thread and of the weld nut provides for a protection from weld splatter of the weld nut during the weld processing. This allows for the proper decoupling of the fastener (3) from the nut (1) and further allows for the recoupling of the fastener (3) with the nut (1) when an electrical contact is desired.

While Applicant's admit that the Pandit reference teaches a spacer in combination with a nut and fastener combination, Applicants respectfully submit that the spacer is not in contact with and operably clamped between the first and second contact surfaces.


### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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